

1 GUSTAVO DIAZ ^{SBN} 225402
 2 LAW Offices of Gustavo Diaz
 3 663 West Avenue J
 4 Lancaster, CA 93534
 5 (661) 723-4800
 6 ultimatedefenseinc@verizon.net

7 Attorney for Plaintiff,

FILED
 2010 APR -7 PM 3:57
 CLERK U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 LOS ANGELES

8 UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA
 9 WESTERN DIVISION

10 RICARDO MIRANDA)
 11 12348 Magnolia Blvd. #102)
 12 Valley Village, CA 91607)

13 Plaintiff,)

14 v.)

15 U.S. DEPARTMENT OF HOUSING)
 16 and URBAN DEVELOPMENT)
 17 FREEDOM OF INFORMATION ACT OFFICE)
 18 451 7th Street, S.W., Washington, DC 20410)

19 Defendant.)
 20)
 21)

CV10 2545 MMM

C.A. No.

COMPLAINT FOR
 INJUNCTIVE RELIEF UNDER
 FREEDOM OF INFORMATION
 ACT

22 COMPLAINT FOR INJUNCTIVE RELIEF

23
 24 1. This is an action under the Freedom of Information Act, 5 U.S.C. § 552, for injunctive and
 25 other appropriate relief and seeking the disclosure and release of agency records improperly
 26 withheld from plaintiff by defendant U.S Department of Housing and Urban Development
 27 ("HUD").

28 JURISDICTION

1
2 2. This Court has jurisdiction over this action pursuant to 5 U.S.C. §§ 552a(g)(1),
3 552(a)(4)(B), and 28 U.S.C. § 1331. This Court has both subject matter jurisdiction over this
4 action and personal jurisdiction over the parties pursuant to 5 U.S.C. § 552(a)(4)(B).

5
6 **VENUE**

7 3. Venue is appropriate in the District under 5 U.S.C. §§ 552a(g)(5), 552(a)(4)(B), and 28
8 U.S.C. § 1391.

9 **PARTIES**

10
11 4. Plaintiff Ricardo Miranda is the President of the labor union representing the interests of
12 HUD employees.

13 5. Defendant HUD is an executive department of the Federal Government of the United
14 States of America. HUD is an agency within the meaning of 5 U.S.C. § 552(f).

15
16 **PLAINTIFF's FOIA REQUEST**

17
18 6. On January 15, 2010, Plaintiff submitted a Freedom of Information Act (FOIA)
19 Request: FOIA Control Nos.: 10-FI-HQ-00717 and FI-481585. Plaintiff requested HUD's
20 budget and financial expenditure data regarding the Agency's own personnel costs, mass-transit,
21 car-pool and van-pool subsidies, and travel and per diem costs for Federal Fiscal Year's 2009,
22 2010, and proposed FY 2011 to determine what resources the Agency has available to pay for its
23 employees' car-pool subsidies to commute to and from work.

24
25 7. As the President of the labor union representing the interests of HUD employees, Plaintiff
26 plans to utilize the data requested under FOIA as evidence for an upcoming mediation/arbitration
27 hearing with the Federal Service Impasses Panel (FSIP) on March 31, 2010 in San Francisco,
28 California between the National Federation of Federal Employees (NFFE) Local 1450 and HUD

1 management that the Agency can afford and it is not expensive to pay for car-pool subsidies for
 2 its HUD employees in 11 offices in California, Arizona, Nevada and Albuquerque, New
 3 Mexico. NFFE Local 1450 and HUD are at a negotiation impasse regarding whether or not
 4 HUD should pay for car-pool subsidies for its employees based on the financial resources
 5 available to the Agency. The role of the FSIP is to settle negotiation-impasse disputes between
 6 Federal agencies and labor unions because Federal employees are prohibited by law from going
 7 on strike. Decisions of the FSIP in mediation/arbitration hearings are legally binding on both the
 8 Agency and labor union.

9
 10 **DEFENDANT HUD's FAILURE TO TIMELY COMPLY WITH PLAINTIFF'S**
 11 **REQUEST**
 12

13 8. By form letter to plaintiff dated February 2, 2010, Plaintiff was informed that HUD's
 14 FOIA Office acknowledged receipt of his request on January 19, 2010 and was advised that his
 15 request would be processed on the "complex track," per HUD's FOIA regulations 24 CFR
 16 15.105(a). Plaintiff was advised that his FOIA request would be processed in approximately 45
 17 days.

18
 19 9. On the February 6, 2010, Plaintiff responded to Denise Brown, HUD representative
 20 assigned to process his request, vis-à-vis e-mail disputing her department's characterization of
 21 his FOIA request. Plaintiff argued that HUD's backlog of his FOIA request, did not meet the
 22 criteria for "unusual circumstances" of the FOIA statute citing 5 U.S.C section 552(a)(6)(B)(iii).
 23 Plaintiff reiterated and further requested for his FOIA request to be processed within the 20-
 24 workday statutory requirement.

25
 26 10. To date, and well beyond the 20 -day and HUD's own unilateral 45-day estimated day,
 27 defendant HUD has not provided the records requested by plaintiff in his FOIA request,
 28 notwithstanding the FOIA's requirement of an agency response within twenty (20) working days.

11. Plaintiff has exhausted the applicable administrative remedies with respect to his FOIA request to defendant HUD.

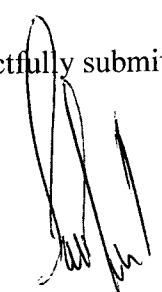
12. Defendant HUD has wrongfully withheld the requested records from plaintiff.

Requested Relief

WHEREFORE, plaintiff prays that this Court:

- A) Declare that HUD violated the Freedom of Information Act;
- B) Order the HUD to immediately disclose the requested records in their entireties to RICARDO MIRANDA;
- C) Award plaintiff reasonable costs and attorney's fees as provided in 5 U.S.C. §§ 552a(g)(3)(B) and/or (4)(B), 552 (a)(4)(E) and/or 28 U.S.C. § 2412 (d);
- D) Expedite this action in every way pursuant to 28 U.S.C. § 1657 (a); and
- (E) Grant such other relief as the Court may deem just and proper.

Respectfully submitted,



GUSTAVO DIAZ
CA. Bar No. 225402
LAW OFFICES OF GUSTAVO DIAZ
663 West Avenue J, 2nd Floor
Lancaster, CA 93534
(661) 723-4800
Counsel for Plaintiff

Dated: March 30, 2010

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Miranda, Ricardo

From: Miranda, Ricardo
Sent: Friday, January 15, 2010 4:42 PM
To: Harris, Eugenia
Cc: O'Connor, Cynthia A
Subject: Freedom of Information Act (FOIA) request

January 15, 2010

Eugenia Harris, Headquarters FOIA Liaison
U.S. Department of Housing and Urban Development
451 Seventh Street, Room 10248
Washington, DC 20410

Dear Ms. Harris:

Pursuant to the Electronic Freedom of Information Act Amendments of 1996, please provide me the following documents in electronic format:

1. Nation-wide HUD transit/transportation-subsidy budgets for Federal Fiscal Years (FYs) 2009, 2010 and proposed FY 2011 for mass-transit, car- and van-pools.
2. Nation-wide HUD transit/transportation-subsidy general ledger expenditure reports for FYs 2008, 2009, and 2010 for mass-transit, car- and van-pools.
3. HUD Region IX transit/transportation-subsidy general ledger expenditure reports for FYs 2008, 2009, and 2010 for mass-transit, car- and van-pools.
4. National agency-wide travel and per diem budgets for FYs 2009, 2010 and proposed FY 2011.
5. National agency-wide travel and per diem general ledger expenditure reports for FYs 2008, 2009, and 2010.
6. National agency-wide personnel and expense budgets for FYs 2009, 2010, and proposed FY 2011.
7. National agency-wide personnel and expense general ledger expenditure reports for FYs 2008, 2009, and 2010.
8. The budgets and general ledger expenditure reports for FYs 2008, 2009, 2010, and proposed FY 2011 for any other HUD agency account that can be used to pay for transit subsidies for mass-transit, car- and van-pools.

Pursuant to Title 5 United States Code Section 552(a)(6)(A)(ii)(I), I do not agree to toll the 20-workday deadline to provide me the information requested above under the Freedom of Information Act (FOIA). Please note that "exceptional circumstances" do not include a delay that results from a predictable agency workload of requests under 5 U.S.C. Section 552(a)(6)(C)(ii). In accordance with 5 U.S.C. § 552(a)(6)(C)(i), failure to comply with the 20-workday deadline to provide the information requested constitutes exhaustion of administrative remedies and will make me eligible to file an appeal in Federal District Court.

I am willing to pay up to \$250 in FOIA fees for the above documentation. Please be further advised that under the Open Government Act of 2007, should you provide me the FOIA information requested above after 20 workdays, you may not charge me any FOIA fees and may be liable for my attorney's fees should I have to file an appeal in Federal District Court.

Thank you in advance for your timely response to my FOIA request.

Sincerely,
Ricardo Miranda
12348 Magnolia Blvd. #102
Valley Village, CA 91607
(818) 458-3001 (cell)
personal email: rmrad1@yahoo.com

Recipient

Harris, Eugenia

O'Connor, Cynthia A

Read

Read: 1/15/2010 5:04 PM



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

FEB 02 2010

Mr. Ricardo Miranda
12348 Magnolia Boulevard, # 102
Valley Village, CA 91607

RE: Freedom of Information Act Request
FOIA Control Nos.: 10-FI-HQ-00717 and FI-481585

Dear Mr. Miranda:

This letter acknowledges the Department of Housing and Urban Development's receipt of your Freedom of Information Act (FOIA) request dated January 15, 2010. Your request was received in the Department's FOIA Office on January 19, 2010.

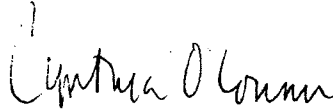
Pursuant to the FOIA, 5 USC 552(a)(6)(A)(i), once HUD properly receives a FOIA request, the Department has 20 working days within which to make a determination on the request unless unusual circumstances exist. Under unusual circumstances, such as an agency's backlog, or the need to examine a voluminous amount of records required by the request, HUD can extend the 20-day time limit for processing a request. As of January 29, 2010, HUD's FOIA Office had 295 open FOIA requests. Based upon HUD's experience and current inventory, it is estimated that it may take approximately 45 days to complete processing of your request.

HUD's policy is to process FOIA requests using "multi-track processing," which allows the Department to process FOIA requests on a first-in/first-out basis, within each track. HUD places FOIA requests in its routine or complex track based on the amount of work and time involved in processing the request. The criteria for assignment to a specific track are found in HUD's FOIA regulations, 24 CFR 15.105(a), which were published in the Federal Register on January 22, 2001, at 66 FR 6964. Your request is being processed on the complex track. You may consult with the HUD FOIA Specialist handling your request in order to determine whether your request can be modified and transferred to the routine track. Please note that upon further evaluation of your request, you may be notified that your request has been transferred to another track.

The Department will comply with your request to the extent permissible by law. Any records not subject to an exemption will be forwarded to you promptly upon the completion of HUD's search and review process. Your request has been assigned to Ms. Denise Brown. If you have any questions regarding your request, please contact Ms. Brown at (202) 402-4816.

Thank you for your interest in the Department's programs and policies.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia A. O'Connor". The signature is written in a cursive, flowing style.

Cynthia A. O'Connor
Executive Secretary

Miranda, Ricardo

From: Ricardo Miranda [rmrad1@yahoo.com]
Sent: Saturday, February 06, 2010 1:52 PM
To: Brown, Denise M; O'Connor, Cynthia A
Cc: bolivar_simon@yahoo.com; Miranda, Ricardo
Subject: FOIA Control #s: 10-FI-HQ-00717 and FI-481585

Dear Ms. Brown and Ms. O'Connor:

I am receipt of Ms. O'Connor's letter dated February 2, 2010 concerning my above-referenced Freedom of Information Act (FOIA) request. Please be advised that I dispute that routine request for limited HUD budget and financial expenditure data constitute a complex request. Therefore, my FOIA request should be processed as a routine request.

Moreover, an agency backlog of FOIA requests does not meet the criteria for unusual circumstances of the FOIA statute at 5 U.S.C. Section 552(a)(6)(B)(iii). Therefore, please process my FOIA request within 20-workdays pursuant to the FOIA statute at 5 U.S.C. Section 552(a)(6)(A)(i). Otherwise, in accordance with 5 U.S.C. Section 552(a)(6)(C)(i) and Section 552(a)(4)(B), I will seek judicial review for exhaustion of my administrative remedies due to the Agency's lack of compliance with the statutory 20-workday deadline.

Sincerely,
Ricardo Miranda
12348 Magnolia Blvd. #102
Valley Village, CA 91607
(818) 458-3001 (cell)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Margaret M. Morrow and the assigned discovery Magistrate Judge is Victor B. Kenton.

The case number on all documents filed with the Court should read as follows:

CV10 - 2545 MMM (VBKx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

LAW OFFICES OF GUSTAVO DIAZ
 663 West Avenue J
 Lancaster, Ca 93536
 ultimatedefenseinc@verison.net

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

Ricardo Miranda
 12348 Magnolia Blvd. # 102
 Valley Village, Ca 91607

PLAINTIFF(S)

CASE NUMBER

CV10 2545

MMM

VBKx

U.S. Department Of Housing
 and Urban Development & Freedom Of Information Act
 451 7th Street, S.W., Washington, DC 20410

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S): U.S. Department Of Housing and Urban Development & Freedom Of Information Act Office, 451 7th Street, S.W., Washington, DC 20410

A lawsuit has been filed against you.

Within 30 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Gustavo Diaz, whose address is 663 West Avenue J, Lancaster, Ca 93536. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: _____

APR - 7 2010

By: _____

CHRISTOPHER POWERS

Deputy Clerk

(Seal of the Court)

SEAL

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)

Ricardo Miranda
 12348 Magnolia Blvd. #102
 Valley Village, Ca 91607

DEFENDANTS

U.S. Department Of Housing
 and Urban Development
 Freedom Of Information Act

451 7th Street, S.W., Washington DC 20410

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Gustavo Diaz
 Law Offices Of Gustavo Diaz
 663 West Avenue J, Lancaster, Ca 93536

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☐ Yes ☒ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** Attorney Fees

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input checked="" type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV10 2545

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	D.C. Washington

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☒ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	D.C. Washington

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	D.C. Washington

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date 4/7/10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))